

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

06-CR-6216L
07-CV-6252L

v.

JONATHAN LEONARDO MERINO,

Defendant.

On April 4, 2007, defendant was sentenced principally to a term of 24 months imprisonment.

The plea was entered pursuant to a written plea agreement.

Thereafter, on May 15, 2007, defendant filed a motion to vacate the judgment (Dkt. #13) pursuant to 28 U.S.C. § 2255. By letter dated June 1, 2007, received in chambers on June 12, 2007 (Dkt. #15), the defendant moved to withdraw the 2255 petition. That motion is granted and the petition is deemed withdrawn and denied in all respects.

Defendant's motion to not transfer him to the Bureau of Prisons (Dkt. #14) is denied as moot.

IT IS SO ORDERED.


DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
June 19, 2007.